

BEFORE THE
Federal Communications Commission
WASHINGTON, D. C. 20534

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Preparation for International) IC Docket 94-31
Telecommunication Union World)
Radiocommunications Conferences)

To: The Commission

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COMMENTS OF APCO

The Association of Public-Safety Communications Officials-International, Inc. ("APCO") hereby submits the following comments in response to the Commission's Second Notice of Inquiry, FCC No. 95-36 (released January 31, 1995), in the above-captioned proceeding regarding preparation for the 1995 World Radiocommunication Conference (WRC-95) and future conferences.

APCO is the nation's oldest and largest public safety communications organization, with over 11,000 worldwide members involved in the management and operation of police, fire, emergency medical, forestry-conservation, highway maintenance, disaster relief, and other public safety communications facilities. APCO is the FCC-certified frequency coordinator for the Part 90 Police and Local Government Radio Services, and for all Public Safety Pool channels.

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APCO will limit its comments to issues related to Mobile Satellite Service ("MSS") allocations below 1 GHz. Of particular concern are recommendations of the Industry Advisory Committee ("IAC") that include the 380-399.9 MHz band in its "Priority One" recommendations for MSS, and the 157.0375-174 MHz, 450-460 MHz, and 470-512 MHz bands in its "Priority Two" recommendations. Second Notice at ¶¶56-58, and Appendix 2.

I. 380-399.9 MHz

As the Commission notes, this band has been targeted for new public safety communications networks in the U.S. and Europe. Notice at 31-32, n.88. Until recently, the band had been used for NATO operations. However NATO has announced that the band will be available for civil emergency services based on the needs of each country (see attached letter). In the United States, the band is a Government band allocated to the Defense Department. However, in light of the NATO action, State and local government public safety agencies have been working with the FBI, Secret Service, and other Federal agencies to develop plans to use the 380-400 MHz band to meet certain critical mobile radio needs. These include greater interoperability between Federal and non-Federal public safety agencies, high-speed wireless data networks, and alleviating congestion in other bands.

The FCC has also recommended that the 225-230 MHz and 380-400 MHz bands be included in the spectrum to be released by the Federal Government for non-Government use, including public safety communications. Report from the Federal Communications Commission to Ronald H. Brown, Secretary, U.S. Department of Commerce Regarding the Preliminary Spectrum Reallocation Report (released August 9, 1994). In particular, the Commission noted that the band could be "used to implement a Federal Government/local Government public safety network to coordinate the activities of the Federal and local governments...." Id. at 30.^{1/}

The Commission invites comment in the Second Notice as to the ability of MSS to share the 380-399.9 MHz band with existing and future fixed and mobile users. Any such analysis is premature, however, as the specific public safety use of the 380-400 MHz band is still being planned. Potential interference cannot be studied accurately when the nature of the service to which interference must be avoided is uncertain. Among the unknown factors at this time are whether the band will be used for voice or data, the channel bandwidths, the modulation techniques, the transmitting

^{1/} More recently, the Commission stated that if "this spectrum [380-400 MHz] becomes available for private sector use, because of its proximity to the frequencies already used by public safety, it would be a candidate for allocation to public safety services" Report and Plan of the Federal Communications Commission, "Meeting State and Local Government Public Safety Agency Spectrum Needs Through the Year 2010" (February 9, 1995).

powers, receiver characteristics and other factors critical for determining the likelihood of interference.

Sharing studies of the 380-400 MHz band are premature, and the band is not, at least at the present time, a viable band for MSS operation. Therefore, APCO supports the Commission's proposal not to include the 380-400 MHz band in the proposed MSS spectrum allocation.

II. 157.0375-174 MHz, 450-460 MHz, and 470-512 MHz

These bands are allocated for private land mobile radio communications and are perhaps the most heavily used frequency bands in the United States. State and local government public safety agencies, utilities, railroads, manufacturers, and businesses of all sizes rely on mobile communications networks on these frequencies for their basic operations. In the public safety area, these frequencies provide the bulk of basic land mobile communications for police, fire, emergency medical, forestry, highway maintenance, disaster relief, and other critical services.

The FCC has long-recognized the severe spectrum congestion already facing these land mobile bands, and is currently considering a "spectrum refarming" plan that will reduce channel bandwidths, eventually leading to a doubling, if not a quadrupling of the number of users on the bands (PR Docket 92-235). Because of this extremely heavy usage, it is unlikely that MSS or any other service could share the

bands with land mobile operations. This fact was recently recognized by Working Group A of ITU Study Group 8/3:

When considering future spectrum requirements for MSS below 1 GHz this assessment can not be made without taking due account of the existing allocations of other services and the development of the radio applications within these existing allocations.

At present many of the existing allocations for the land mobile services are becoming more extensively used in many countries. The growth of terrestrial cellular mobile networks and other high density land mobile applications will make the relevant bands difficult to share between land mobile services and the MSS. Administrations should take into consideration that the conflicting spectrum requirements have to be balanced with respect to both services.

"Preliminary Spectrum Requirements for Future Non-GSO MSS Networks Below 1 GHz," International Telecommunications Union, Radiocommunications Study Group 8/3, Working Group A, Document 8-3/TEMP/18-E, 27 July 1994 (emphasis added).

APCO is unaware of any studies or tests demonstrating that MSS can share spectrum with land mobile operations in the 157-170 MHz or 450-512 MHz bands. None of the studies completed to date focus on these unique frequency bands. Nor do existing studies, to our knowledge, involve frequency bands with anywhere near the level of congestion found in the 157-170 MHz and 450-512 MHz bands.

Therefore, APCO strongly supports the Commission's decision not to include these frequencies in the proposed allocation for MSS.

CONCLUSION

For the reasons stated above, APCO supports the Commission's proposal and opposes any recommendation that the 150-170 MHz, 380-400 MHz, or 450-512 MHz bands be allocated for Mobile Satellite Service.

Respectfully submitted,

ASSOCIATION OF PUBLIC-SAFETY
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NORTH ATLANTIC MILITARY COMMITTEE
COMITE MILITAIRE DE L'ATLANTIQUE NORD



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TO : ARFA DISTRIBUTION LIST 5

INFO : MR. J.S. STRICK, CHAIRMAN ERC
(via ERC Secretariat)

SUBJECT : INTRODUCTION OF EMERGENCY SERVICES IN THE 380-400
MHz BAND

Reference : ARFA(S)-R(94)-0958L-SPA/154, 28 JUL 94

1. The ARFA 1994/Joint Meeting requested the provision of frequencies in 380-400 MHz for the Emergency Services (ref). In addition, the ARFA Plenary was requested to propose the final position for these resources. The ARFA 1994/2nd Plenary has now agreed to accommodate the Emergency Services as follows:

- for the initial implementation, in 380-383 and 390-393 MHz,
- for the final implementation, in 380-385 and 390-395 MHz.

From 1998, the bands 380-385 and 390-395 MHz will be allotted to Tactical Radio Relay, for transfer to the Emergency Services, if and when required, based on national decisions. This proposal is based on the Emergency Services sharing with and accepting possible interference from frequency hopping systems.

2. The national ARFA representatives are requested to release a copy to their civil Administrations.
3. French translation will follow as soon as possible.

M. TANGE
Colonel, NLAR
Chairman ARFA

This letter consists of 1 page